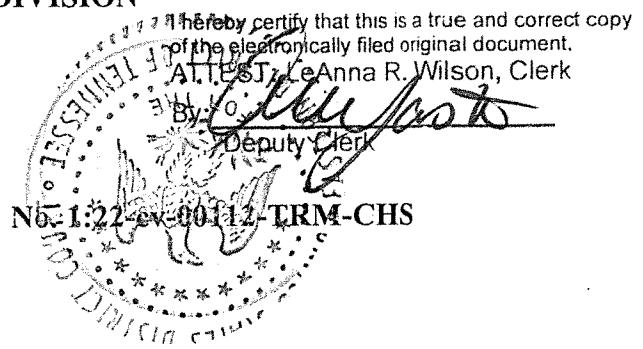


**IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TENNESSEE, SOUTHERN DIVISION**

C. Lee Eggert,)
 Plaintiff,)
 v.)
 Z. Cartter Patten, III and W.A. Bryan Patten,)
 Defendants.)



TOTAL FEES \$37.00

State of Tennessee Hamilton County Register of Deeds MARC GRAVITT

ABSTRACT AND NOTICE OF LIEN LIS PENDENS

Pursuant to Tenn. Code Ann. § 20-3-101(a), please take notice that an action was commenced on the 9th day of May, 2022, and is now pending in the United States District Court for the Eastern District of Tennessee styled as *Eggert v. Patten et al.*, U.S. District Court, E.D. Tenn., case number 1:22-cv-00112-TRM-CHS (the “Action”). The parties to the Action are Plaintiff C. Lee Eggert and Defendants Z. Carter Patten, III and W. A. Bryan Patten.

The Action relates to approximately 6,161.75 acres of land in Sequatchie and Hamilton Counties, Tennessee owned by Defendants Z. Carter Patten, III and W. A. Bryan Patten (the “Property”). The Property is comprised of two tracts. The first tract is represented by Hamilton County Map and Parcel Numbers 055-001.01 and 055.001.02 and Sequatchie County Map and Parcel Numbers 083-001.00, 083-001.00 S/I 001, and 083-001.01. The second tract is represented by Hamilton County Map and Parcel Number 071-005 and Sequatchie County Map and Parcel Numbers 085-004.00 and 085-004.00 S/I 001. A more complete description of the Property is attached hereto as *Exhibit A*.

The Action seeks specific performance of a joint venture agreement executed between Plaintiff and Defendants that provides Plaintiff with an option to purchase the Property for a

purchase price in excess of \$11,600,000.00. In the alternative to specific performance, Plaintiff seeks damages in excess of \$1,500,000.00. The lien sought to be fixed is against the fee simple interest in the Property as a whole, in the amount of \$1,500,000.00.

A copy of this Abstract and Notice of *Lien Lis Pendens* certified by the Clerk of the United States District Court for the Eastern District of Tennessee shall be filed by Plaintiff in the counties wherein the real property affected hereby are located, being Sequatchie County, Tennessee and Hamilton County, Tennessee.

This 11th day of May, 2022.

Respectfully submitted,

/s/ Michael G. Abelow
Michael G. Abelow (No. 26710)
Alice E. Haston (No. 38708)
SHERRARD, ROE, VOIGT & HARBISON PLC
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ahaston@srvhlaw.com

Counsel for Plaintiff C. Lee Eggert

CERTIFICATE

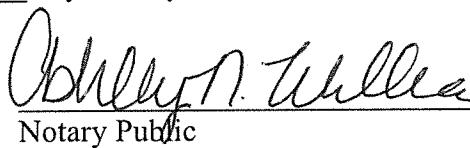
I hereby certify that the above is a true abstract of the original complaint filed in the above-styled case on May 9, 2022, in the United States District Court for the Eastern District of Tennessee. Given under my hand and official seal at this office, this 16th day of May, 2022.


United States District Court Clerk

STATE OF TENNESSEE)
COUNTY OF Hamilton)

Before me, Ashley N. Williams, a Notary Public in and for the aforesaid state and county, personally appeared Allison Laster, of the United States District Court Clerk's Office for the Eastern District of Tennessee, Southern Division, with whom and whose official position I am personally acquainted, and who acknowledged the execution of the foregoing document on the day it bears date and for the purposes therein expressed.

WITNESS my hand and seal, this 16th day of May 2022.


Notary Public

My commission expires: 8/28/2024



THIS INSTRUMENT WAS PREPARED BY:

Michael G. Abelow
SHERRARD ROE VOIGT & HARBISON, PLC
150 Third Avenue South
Suite 1100
Nashville, TN 37201
(615) 742-4200

EXHIBIT A

TRACT ONE (1):

Property description – Z. Cartter Patten, III – Horseshoe Property

A tract of land situated in Sequatchie County and Hamilton County, Tennessee:

(Reference Vick Surveying, LLC survey dated October 15, 2012) Begin at the beginning point which is the Southwest corner of the Bowman Coke Estate property (Book V Page 367, Sequatchie County), thence going with and along the Bowman Coke Estate property line South 59 degrees 34 minutes 27 seconds East 2,502.66 feet to the southeast corner of the Bowman Coke Estate property and the southwest corner of Land Titans Investment property (Book 290 Page 71, Sequatchie County); thence going with and along the Land Titans Investment property line South 59 degrees 54 minutes 03 seconds East, 870.62 feet to the southeast corner of Land Titans Investment property and the west corner of Key Vision LP property, (Book 215 Page 153, Sequatchie County); thence with and along the Key Vision LP property line South 37 degrees 50 minutes 06 seconds East, 999.91 feet to a point on the center line of a creek known as Mossy Creek; thence with and along the meandering of the centerline of said creek in an easterly direction 21,995.01 feet to a point on the centerline of a creek known as North Chickamauga Creek; thence with and along the meandering of the centerline of said creek in a southwesterly direction 14,968.32 feet to a point on the centerline of a creek known as Holly Branch; thence with and along the meandering of the centerline of said creek in a westerly direction 3,349.81 feet to a point on the centerline of a creek known as the North Fork of Holly Branch; thence with and along the meandering of the centerline of said creek 1,485.28 feet to a point on the north margin of a TVA 500kw 200 foot wide powerline right-of-way easement (*this ends the Vick Surveying reference*); thence continuing with and along the meandering centerline of North Fork of Holly Branch 3,808 feet, more or less, to a steel fence post at the head of said North Fork of Holly Branch; thence in a straight line approximately North 42 degrees West 2,801 feet, more or less to a point at the confluence of the centerline of a creek known as Frederick Creek and the centerline of a creek known as McGrew Creek, said point being the beginning of the creek known as Mossy Creek; thence with and along the meandering centerline of Mossy Creek in a north-northeasterly direction 9,072 feet, more or less, to the point of confluence of Mossy Creek and a creek known as Middle Creek; thence with and along the meandering centerline of Middle Creek in a northwesterly direction 3,731 feet, more or less, to a point, said point being the south corner of the State of Tennessee property; thence leaving the centerline of Middle Creek and going with and along the State of Tennessee property line North 13 degrees 33 minutes 53 seconds East 986.43 feet to the point of beginning containing 2,674.05 acres, more or less.

FOR PRIOR TITLE, see Deeds recorded Book 25, Page 425; Book 32, Page 184; Book 41, Page 130; Book 44, Page 389; Book 54, Page 306, and Book 99, Page 730, in the Register's Office of Sequatchie County, Tennessee, and Deeds recorded in Book 2005, Page 900; Book 2149, Page 365; Book 2328, Page 359; Book 2421, Page 88; Book 2675, Page 703; Book 3576, Page 545, and Book 4294, Page 887, in the Register's Office of Hamilton County, Tennessee.

TRACT TWO (2):

Property description – W. A. Bryan Patten – Horseshoe Property

A tract of land situated in Sequatchie County and Hamilton County, Tennessee:

Begin at the beginning point (*Reference Hopkins Surveying Group, Inc survey of Grandview, Phase Two Expansion, dated 8/23/05*) which is the southwest corner of Lot 33 Grandview, Phase Two Expansion, said point also being on the south margin of a TVA 500kw 200 foot wide powerline right-of-way easement; thence with and along the south property line of Lot 33 and the south margin of the TVA easement North 59 degrees 29 minutes 38 seconds East 213.63 feet; thence continuing with and along the south property line of Lot 33 and the south margin of the TVA easement North 74 degrees 09 minutes 23 seconds East 617.47 feet to the southeast corner of Lot 33; thence leaving the south margin of the TVA easement and going with and along the east property line of Lot 33 North 35 degrees 26 minutes 59 seconds West 428.49 feet to the northeast corner of Lot 33 and the southeast corner of Lot 32, said point also being on the west margin of Horseshoe Bend Road East; thence crossing Horseshoe Bend Road East North 76 degrees 32 minutes 12 seconds East 58.28 feet to a point on the east margin of Horseshoe Bend Road East; thence South 45 degrees 43 minutes 13 seconds East 41.46 feet; thence South 52 degrees 50 minutes 29 seconds East 43.28 feet; thence South 60 degrees 34 minutes 16 seconds East 42.08 feet; thence South 58 degrees 29 minutes 22 seconds East 49.68 feet; thence South 55 degrees 17 minutes 29 seconds East 48.95 feet; thence South 53 degrees 40 minutes 04 seconds East 33.52 feet to a point being the southwest corner of Lot 34 and located on the north margin of the TVA easement; thence with and along the south line of Lot 34 and the north margin of the TVA easement North 74 degrees 09 minutes 23 seconds East 351.67 feet to the southeast corner of Lot 34 (*end of Hopkins Survey reference*); thence (*Reference Vick Surveying LLC survey dated 06 March 2020*) with and along the north margin of the TVA easement North 78 degrees 17 minutes 11 seconds East 5,322.26 feet to a 1/2" pipe; thence with and along the TVA easement North 78 degrees 17 minutes 11 seconds East 57.38 feet to a point on the centerline of a creek known as Parsons Branch; thence leaving the north margin of the TVA easement and going with and along the meandering of the centerline of said creek in a northerly direction 2,320.13 feet, more or less, to the confluence of Parsons Branch and a creek known as Hickman Branch (*end of the Vick survey reference*); thence continuing with and along the meandering of the centerline of Parsons Branch in a northerly direction 1,512 feet, more or less, to the confluence with a creek known as Frederick Creek; thence with and along the meandering of the centerline of Frederick Creek in a westerly direction 5,271 feet, more or less, to a point on the property line between W. A. Bryan Patten and Walden Ridge, LLC; thence with and along the property line of W. A. Bryan Patten (*Reference Hopkins Surveying Group, Inc survey dated January 5, 2006*), per the agreed line established in that Boundary Line Agreement of record in Book 210, Page 188, in the Register's Office of Sequatchie County, Tennessee, North 30 degrees 35 minutes 27 seconds East (*end Hopkins survey reference*) 3,268 feet, more or less, to a steel fence post (SFP), said post being the northeast corner of the Walden Ridge, LLC property; thence with and along the northeast boundary line of the

Walden Ridge, LLC property, a distance of 7,352 feet, more or less to a point, said point being a common boundary line with Walden Ridge, LLC or Tracts 6 & 7 of The Thomas Eugene Mills and Etwell Annette Mills Living Trust property described in Quitclaim Deed recorded in Book 377, Page 191, in the Register's Office of Sequatchie County, Tennessee; thence, in a northeasterly direction, with and along the eastern boundary line of said Walden Ridge, LLC property and/or Mills Living Trust property, and then the eastern boundary line of Tract Two (2) of the Kelly Gene Mills property described in Book 217, Page 250, in the Register's Office of Sequatchie County, Tennessee, 1,535 feet, more or less, to a point, said point being the northeast corner of said Kelly Gene Mills property; thence, in a northwesterly direction, with and along the northern boundary line of said Kelly Gene Mills property, 2,560 feet, more or less, to a point on the west margin of a county road known as Patton Road; (*Reference Hopkins Surveying Group, Inc survey dated June 3, 2004*) thence, with and along the west margin of Patton Road in a northerly direction 2,791.28 feet, more or less, to a point; thence crossing said Patton Road, South 88 degrees 24 minutes 00 seconds West 51.0 feet, more or less, to a point on the east margin of said Patton Road, said point also being on the south margin of a private road known as Carter Patten Road; thence with and along the west margin of said private road 773.45 feet to a SFP, said post being the northwest corner of W. A. Bryan Patten property and the north corner of the Carter Patten Trust property described in that Tennessee Quitclaim Deed of record in Book 311, Page 284, in the Register's Office of Sequatchie County, Tennessee (*end of Hopkins Surveying reference*); thence with and along the W. A. Bryan Patten and Carter Patten Trust common boundary line (*Reference Hopkins Surveying Group, Inc survey dated September 3, 2009*) South 48 degrees 32 minutes 52 seconds East 592.97 feet to an iron pin and SFP; thence South 86 degrees 10 minutes 11 seconds East 285.26 feet to an iron pin and SFP; thence South 61 degrees 22 minutes 07 seconds East 521.41 feet to an iron pin and SFP; thence South 79 degrees 01 minutes 26 seconds East 259.19 feet to an iron pin and SFP; thence North 72 degrees 53 minutes 32 seconds East 598.72 feet to an iron pin and SFP; thence North 46 degrees 07 minutes 10 seconds East 247.10 feet to an iron pin and SFP; thence North 46 degrees 07 minutes 10 seconds East 12.05 feet to a point on the centerline of a creek known as McGrew Creek (*end of Hopkins Survey reference*); thence with and along the meandering of the centerline of said creek in a southeasterly direction 16,877 feet, more or less, to a point at the confluence of the centerline of a creek known as Frederick Creek; thence leaving the point of confluence of the two creeks approximately South 42 degrees East 2,801 feet, more or less, to a SFP on the centerline of a creek known as the North Fork of Holly Branch; thence, in a southeasterly direction, with and along the meandering centerline of said creek 5,293 feet, more or less, passing the north margin of a TVA 500kw 200 foot wide powerline right-of-way easement at 3,808 feet, to the confluence of the centerline of a creek known as Holly Branch; thence, in an easterly direction, with and along the meandering of the centerline of said creek (*Reference Vick Surveying LLC survey dated October 15, 2012*) 2,923.54 feet to a point on the centerline of Holly Branch, said point also being a westerly corner of the property conveyed to the State of Tennessee by deed dated June 21, 2012, and recorded on June 27, 2012 in Book 9677, Page 187, in the Register's Office of Hamilton County, Tennessee, and also recorded on July 11, 2012 in Book 297, Page 644, in the Register's Office of Sequatchie County, Tennessee (*end Vick Surveying reference*); thence (*Reference Vick Surveying LLC survey dated 12 December, 2011*) with and along the State of Tennessee property line the following courses and distances: South 04 degrees 51 minutes 42 seconds West 49.30 feet; thence South 04 degrees 51 minutes 42 seconds West 1,091.00 feet; thence South 36 degrees 26 minutes 55 seconds East 815.84 feet; thence South 25 degrees 31 minutes 57 seconds West 271.32 feet; thence South 74 degrees 58 minutes 32 seconds West 788.37 feet; thence South 22 degrees 24 minutes 31 seconds West 638.48 feet; thence South 06 degrees 29 minutes 31 seconds West 916.51 feet; thence South 32 degrees 58 minutes 32 seconds West 1,738.40 feet; thence South 18 degrees 29 minutes 05 seconds East 384.17 feet; thence South 19 degrees 36 minutes 17 seconds West 989.33 feet; thence North 79 degrees 39 minutes 17 seconds West 538.50 feet; thence South 74 degrees 30 minutes 17 seconds West 1,586.71 feet; thence South 59 degrees 45 minutes 39 seconds West 714.31 feet; thence North 81 degrees 33

minutes 37 seconds West 667.49 feet; thence South 57 degrees 51 minutes 56 seconds West 606.95 feet; thence South 41 degrees 06 minutes 15 seconds West 636.02 feet; thence North 58 degrees 20 minutes 13 seconds West 540.56 feet; thence North 70 degrees 44 minutes 21 seconds West 384.38 feet; thence South 77 degrees 08 minutes 17 seconds West 434.59 feet; thence North 50 degrees 55 minutes 31 seconds West 134.30 feet; thence North 01 degrees 03 minutes 05 seconds East 145.60 feet; thence North 20 degrees 04 minutes 10 seconds West 457.77 feet; thence North 80 degrees 23 minutes 29 seconds West 665.93 feet; thence South 55 degrees 21 minutes 55 seconds West 397.37 feet; thence South 04 degrees 24 minutes 34 seconds West 344.74 feet; thence South 87 degrees 53 minutes 47 seconds West 528.87 feet; thence South 56 degrees 16 minutes 27 seconds West 439.47 feet; thence North 61 degrees 24 minutes 40 seconds West 771.35 feet; thence South 77 degrees 49 minutes 39 seconds West 496.66 feet; thence North 60 degrees 56 minutes 05 seconds West 687.71 feet; thence North 06 degrees 21 minutes 03 seconds East 305.90 feet; thence North 27 degrees 57 minutes 56 seconds West 420.97 feet; thence North 73 degrees 34 minutes 33 seconds West 848.29 feet; thence North 64 degrees 55 minutes 35 seconds West 789.27 feet; thence South 76 degrees 59 minutes 56 seconds West 679.13 feet; thence South 65 degrees 46 minutes 37 seconds West 364.09 feet; thence South 65 degrees 46 minutes 31 seconds West 284.56 feet; thence South 65 degrees 45 minutes 54 seconds West 111.94 feet to a point on the centerline of a creek known as Brimer Creek; thence, with and along the meandering of the centerline of said creek North 08 degrees 49 minutes 26 seconds West 250.80 feet; thence North 18 degrees 48 minutes 57 seconds West 250.54 feet; thence North 37 degrees 56 minutes 58 seconds West 120.32 feet; thence North 87 degrees 19 minutes 19 seconds West 192.47 feet; thence North 77 degrees 14 minutes 23 seconds West 360.69 feet, to a point (*end Vick Surveying reference*); thence leaving the common line with State of Tennessee and continuing with and along the meandering of the centerline of Brimer Creek in a northwesterly direction 3,351 feet, more or less, to a point on the centerline of a TVA 500kw 200 foot wide powerline right-of-way easement; thence with and along the centerline of the TVA easement (*Reference Hopkins Surveying Group, Inc survey dated 5/15/2003*) North 59 degrees 29 minutes 38 seconds East 200.00 feet to the southeast corner of Lot 2, Grandview Phase 2; thence in a northerly direction with and along the east line of Lot 2 326.00 feet, more or less, to an iron pin on the margin of a cul-de-sac on Fern Mist Trail; thence leaving the property line of Lot 2 in an easterly direction around the margin of the cul-de-sac 53 feet, more or less, to an iron pin, said pin being the northwest corner of Lot 3, Grandview Phase 2;; thence in a southerly direction with and along the west property line of Lot 3 346 feet, more or less, to the southwest corner of Lot 3 and a point on the centerline of the TVA easement; thence North 59 degrees 29 minutes 38 seconds West 2,164 feet, more or less, to the southeast corner of Lot 20, Grandview Phase 2; thence South 15 degrees 49 minutes 35 seconds East 100 feet, more or less, to a point on the south margin of the TVA easement, said point being the southwest corner of Lot 33, Grandview Phase 2, and the point of beginning, containing 3,487.7 acres, more or less.

TOGETHER WITH an easement for pedestrian and vehicular ingress and egress over those portions of Carter Patten Road, which portions border the above-described property.

LESS AND EXCEPT the property conveyed to Winborn B. Willingham, III by deed in Book 202, Page 321 in the Register's Office of Sequatchie County, Tennessee.

LESS AND EXCEPT any portion of the above-described property which may be located within the bounds of a public road.

FOR PRIOR TITLE, see Deeds recorded Book 25, Page 423; Book 32, Page 181; Book 41, Page 127; Book 44, Page 386; Book 45, Page 321, Book 99, Page 725, and Book 116, Page 353, in the Register's Office of Sequatchie County, Tennessee, and Deeds recorded in Book 2005, Page 898; Book 2149, Page 362; Book 2328, Page 356; Book 2421, Page 85; Book 2432, Page 122, Book 4294, Page 882, and Book 5614, Page 974, in the Register's Office of Hamilton County, Tennessee.